

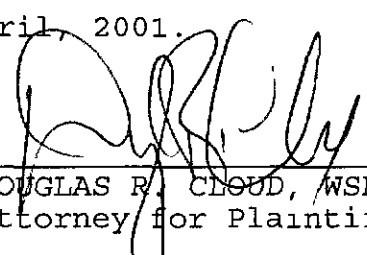
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

5641

RODERICK C. MANN,)	No. C00-546FDB
)	
Plaintiff,)	RESPONSE TO ORDER TO
)	SHOW CAUSE WHY CASE
vs)	SHOULD NOT BE DISMISSED
)	AND MOTION FOR EXTENSION
AMERICAN AIRLINES,)	OF TIME FOR SERVICE OF
)	SUMMONS AND COMPLAINT
Defendant.)	
)	NOTE ON MOTION CALENDAR
)	FOR FRIDAY, MAY 4, 2001

COMES NOW the Plaintiff herein, RODERICK C MANN, by and through his attorney of record, DOUGLAS R. CLOUD, and does hereby move the Court for an Order extending the time period in which to serve the Summons and Complaint on Defendant. This Motion is based upon the subjoined Declaration of RODERICK C MANN and the records and files herein

DATED this 18 day of April, 2001.


DOUGLAS R. CLOUD, WSBA #13456
Attorney for Plaintiff

The undersigned hereby declares under penalty of

DOUGLAS R. CLOUD

Attorney at Law

E WHY
ND MOTION
ICE

901 South "I" St, Ste 101
Tacoma, WA 98405
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CV 00 05641 #00000005

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1 perjury under the laws of the State of Washington as
2 follows:

3 1. That I am the Plaintiff herein. I make this
4 Declaration of my own personal knowledge.

5 2 That on or about October 30, 2000 I filed, pro
6 se, an Employment Discrimination Complaint I also
7 prepared on a form a "Summons in a Civil Case".

8 3. That unfortunately, as a pro se litigant I was
9 unaware of the requirements pursuant to FRCP 4(m) to serve
10 the Summons and Complaint upon the Defendant in an action
11 in Federal Court within 120 days I have not yet done so

12 4. That upon receipt of the Order to Show Cause Why
13 Case Should Not be Dismissed, which was filed herein on
14 March 27, 2001, by the trial Judge herein, Franklin D
15 Burgess, I immediately sought counsel. I sought a referral
16 for an experienced employment attorney through the Tacoma-
17 Pierce County Bar Association and had an appointment with
18 Douglas R. Cloud on April 13, 2001. Mr. Cloud pointed out
19 to me the necessity of requesting an extension of time to
20 serve the Summons and Complaint in this action I was
21 unaware of the time limitations before that time. I
22 promptly hired Mr. Cloud and authorized him to file a
23 Motion for Extension of Time to Serve Summons and
24 Complaint.

25 5 That if the Motion for Extension of Time is not
26 granted, it is unlikely that I would be able to refile as
27

DOUGLAS R. CLOUD

Attorney at Law

RESPONSE TO ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED AND MOTION
FOR EXTENSION OF TIME FOR SERVICE
OF SUMMONS AND COMPLAINT 2

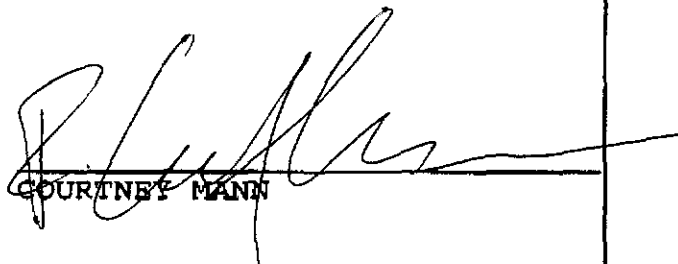
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1 the case is potentially beyond the statute of limitations,
2 if dismissed. Consequently, as a result of my being pro se
3 and being unfamiliar with the Court Rules, and on the basis
4 of the general policy of the Americans With Disabilities
5 Act to provide relief to people intended to be remediated
6 by that act, I ask the Court to grant additional time to
7 serve AMERICAN AIRLINES, Defendant herein.

8 6. That I do not anticipate any significant delay in
9 serving AMERICAN AIRLINES if the Court does allow such
10 service at this time as AMERICAN AIRLINES has a registered
11 agent locally upon whom service can be effectuated.

12 7 That I request an additional 30 days from the
13 date the proposed Order is signed to serve AMERICAN
14 AIRLINES, if the Order is signed. I also request a total
15 of 60 additional days to file a Joint Status Report to
16 allow sufficient time for AMERICAN AIRLINES to participate
17 in the preparation of the Joint Status Report.

18 Signed at TACOMA, Washington this 17th
19 day of April, 2001.

20
21 
22 COURTNEY MANN

23 manu.mot

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27
RESPONSE TO ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED AND MOTION
FOR EXTENSION OF TIME FOR SERVICE
OF SUMMONS AND COMPLAINT 3

DOUGLAS R. CLOUD
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